

MINUTES

OREGON RACING COMMISSION FEBRUARY 17, 2000

The Oregon Racing Commission met on Thursday, February 17, 2000, at 9:30 a.m. in Room 140 of the Portland State Office Building located at 800 NE Oregon Street, Portland, OR. Commissioners in attendance were Laura Fine, Vice Chair; Tom Towslee and David Price. Steve Walters and Richard Reid were excused. Agenda items were discussed in the following order with resulting actions:

1. Approval of January 20, 2000, Minutes

ACTION: MOTION(Towslee) Approve minutes as submitted.

VOTE: 3 Aye, 0 Nay, 2 Excused

2. Multnomah Greyhound Park 2000 Race Meet Application

Carl Wilson stated they were requesting 120 live race dates beginning May 5 through October 14, 2000, with Wednesday through Saturday post times at 7:30 p.m. and Sunday and holiday post times at 1:00 p.m. There will be 14 races per performance. Simulcasting of horse and greyhound signals from other tracks will begin on May 3 and continue through October 16. The schedule is basically the same as they had at the end of the race meet last year. Regarding the off-track sites, he stated Bend really cannot support two sites, and Lava Lanes is doing much better than the Triple Crown. Ownership of the Medford site is in limbo, and there is a tentative new location being considered. They are making improvements to the grandstand and are opening up the third floor. They are focusing on having promotions on daily events rather than a few big promotions throughout the season, the reason being they do not have enough parking available to handle large promotions. The new adoption kennel opened in November, and everyone is very pleased with the way it is set up. A "Make a Fast Friend Day" is scheduled for February 26. There are currently only a very few dogs available for adoption. The wagering menu is basically the same, and the stakes and purse schedule are the same as last year with the addition of \$2000 to the Oregon Juvenile Stakes by the OGBA.

Steve Barham went through the application, pointing out specific sections needing to be addressed. Some of the officials have yet to be named, there is the issue of the possibility of carryover wagers, contracts for simulcast horse and greyhound signals and final approval of off-track sites. Mr. Barham recommended approval on these items be delegated to the executive director. In the application it stated they do not plan on using account wagering, however, if they decide they want to, he recommended that the matter come before the full commission for action. He also recommended approval of the surety bond in the amount of \$225,000 as stated in the application. Having completed his review of the application, Mr. Barham recommended approval of the race meet application with the noted delegated authority.

Commissioner Towslee raised a question regarding their web site. Mr. Wilson responded by saying they are planning on redesigning it and will be adding a number of new links. The address has been changed to *multnomahgreyhoundpark.com*, however, the site can still be reached by using the old address. It is primarily intended to be informational rather than interactive.

In response to a question by Vice Chair Fine regarding the compound rules, Mr. Wilson said they redid the compound rules to fit the new compound. Most of those changes dealt with locations people could park and the necessary limitations in order to allow for proper fire equipment access.

ACTION: MOTION(Towslee) Approve the Multnomah Greyhound Park 2000 race meet application with the appropriate delegation of authority to the executive director to approve the three officials, carryover wager, any contracts for out-of-state simulcasting and off-track sites.

VOTE: 3 Aye, 0 Nay, 2 Excused

3. New Portland Meadows Update

Mike Dorough said basically the figures have remained the same since last month with the exception that the handle figures over the past two weeks have been a little stronger. Total attendance for simulcast and live is up around 6%. Live instate handle is down but the export is up. Horse simulcast handle is still up and the greyhound simulcast handle is still down. They have recently started some promotions at the track on Thursday and Friday evenings to stimulate increased attendance for the live racing. Their group sales have also increased over the last several weeks. Some of the NPM staff have gone to the off-track sites to help them with some of their promotions. They have met with horsemen regarding Saturday evening vs. Saturday matinee racing, discussing their reasoning for going to all evening racing at the urging of TVG. The funding for racing in Oregon that was supposed to have been generated by using this format just has not materialized. As a result, they have looked at the possibility of returning to day racing on Saturdays. In discussions with the horsemen, export partners and groups, they have decided to stick with the all evening racing for the balance of this season. They will, however, look strongly at this issue when submitting their next race meet application.

Vice Chair Fine inquired as to whether or not TVG had discussed with NPM the reasons as to why the funds have not materialized as expected. After some discussion on this issue, it was decided to request TVG to provide the commission with a status report at the March meeting.

In response to a request as to current status with the EPA, Mr. Dorough stated meetings have been taking place with the city to prepare plans required by the city to resolve the backside problems. NPM is prepared to do what is needed to make the necessary improvements in order to be in compliance. Hopefully they will have a time line in place to present at the March meeting.

4. Application of Greyhound Channel, Inc. Update

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Steve Barham reported he and Steve Roden will be doing the technology inspection March 1 and 2. He estimated the operation will up the first part of April. They have found a building and are currently doing the remodeling on the space.

5. OAR 462-060-070 - Distribution of Receipts from Multi-Jurisdictional Simulcasting and Interactive Wagering Totalizator Hubs

Steve Barham stated during its last session, the legislature passed a bill that said 2/3 of the money received from multi-jurisdictional hubs goes to the commission and that the commission can adopt rules to distribute those funds to racing interests. On Thursday, February 24, there is an Emergency Board to which the ORC will be going to increase spending limitation as these revenues become available. This proposed rule is the rule that would allow for the distribution of the funds. A hearing on the rule was held February 1. A copy of a memo from Mr. Barham, who conducted the hearing, was included in the meeting packets which provided a summarization of the testimony given as well as his recommendations for any modifications to the proposed rule.

In summary, Commissioner Towslee had some strong concerns about the rule in that he felt the rule was unnecessary and that it was too specific given the fact that the funds that have actually been generated by the hub fall far short of the amounts originally anticipated. He felt the resolution that is currently in place was enough to cover the situation and that adoption of a rule was premature at this time. Vice Chair Fine stated the commission was obligated to adopt a rule in order to be able to access these funds when they come in. Steve Barham stated numerous groups such as Legislative Fiscal Office (LFO) and Budget and Management (BAM) analysts are asking questions such as: What is the criteria you are going to use to distribute this money throughout the racing industry? How can we be sure it is used properly? If, in fact, enough money becomes available to fund summer fair race meets, how is it going to be used? Mr. Barham felt it was important for people writing petitions for money from the funds over and above the amount going to the summer fair meets to have some idea as to the criteria the commission would be using when deciding who would receive the funds and how much. Commissioner Price stated it is certain the commission needs to adopt a rule and by resolution the summer fair meets would get the first money received. He then went on to say he believed the commission needed to establish some criteria for distribution of the excess funds and saw no harm in adopting the rule as proposed. He was also concerned that if there was nothing in the rules, the next legislature could conceivably take over the authority to determine how the funds should be distributed.

ACTION: MOTION(Towslee) Hold over for one month taking any action on this rule so that both Chair Walters and Commission Reid can be present.

VOTE: 1 Aye(Towslee), 2 Nay(Fine, Price), 2 Excused

ACTION: MOTION(Price) Adopt the rule as submitted.

VOTE: 2 Aye(Fine, Price), 1 Nay(Towslee), 2 Excused

ACTION: MOTION(Price) Reconsider the vote on the tabling of the proposed rule.

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VOTE: 3 Aye, 0 Nay, 2 Excused

ACTION: MOTION(Towslee) Table action on this rule to the March meeting.

VOTE: 3 Aye, 0 Nay, 2 Excused

6. OQHRA Request to Distribute Oregon Bred Breeder and 1% Owners Bonus Funds for 1999 Summer Race Meets

Steve Barham recommended approval.

ACTION: MOTION(Towslee) Approve distribution of funds.

VOTE: 3 Aye, 0 Nay, 2 Excused

7. 2000 Summer Fair Race Meets Status Report

Al Westhoff, General Manager of Josephine County Fairgrounds and Chair of the Racing Committee of the Oregon County Fair Association, and Rod Lowe, President of Southern Oregon Horse Racing Association, came before the commission regarding the plight of fair meet racing in Oregon.

There being no further business, the meeting was adjourned.